

Wednesday, February 11, 1998.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S599–S678

Measures Introduced: Thirteen bills and two resolutions were introduced, as follows: S. 1622–1634 and S. Con. Res. 74 and 75. Page S664

Measures Reported: Reports were made as follows: Special Report entitled “History, Jurisdiction, and A Summary of Activities of the Committee on Energy and Natural Resources During the 104th Congress”. (S. Rept. No. 105–160) Page S664

Human Cloning Prohibition Act: Senate resumed consideration of the motion to proceed to consideration of S. 1601, to amend title 18, United States Code, to prohibit the use of somatic cell nuclear transfer technology for purposes of human cloning.

Pages S599–S607

During consideration of this measure today, Senate took the following action:

By 42 yeas to 54 nays (Vote No. 10), three-fifths of those Senator duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to close further debate on the motion to proceed to consideration of the bill. Pages S607–08

Reading of Washington’s Farewell Address: A unanimous-consent agreement was reached providing that, notwithstanding the Resolution of the Senate of January 24, 1901, on Monday, February 23, 1998, immediately following the prayer and the disposition of the Journal, the traditional reading of Washington’s Farewell Address take place and the Chair be authorized to appoint a Senator to perform this task.

Page S661

Subsequently, the Chair, on behalf of the Vice President, appointed Senator Landrieu to read the address. Page S662

Removal of Injunction of Secrecy: The injunction of secrecy was removed for the following treaty:

Protocols to the North Atlantic Treaty of 1949 on accession of Poland, Hungary, and Czech Republic (Treaty Doc. 105–36)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Commit-

tee on Foreign Relations and was ordered to be printed. Pages S662–63

Nomination Considered: Senate resumed consideration of the nomination of Frederica A. Massiah-Jackson, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. Pages S608, S622, S628–35

Nominations Confirmed: Senate confirmed the following nominations:

By 67 yeas to 28 nays (Vote No. 11 EX), Margaret M. Morrow, of California, to be United States District Judge for the Central District of California. Pages S640–60, S678

Sally Thompson, of Kansas, to be Chief Financial Officer, Department of Agriculture.

Robert S. Warshaw, of New York, to be Associate Director for National Drug Control Policy. Pages S675, S678

Nominations Received: Senate received the following nominations:

Deborah K. Kilmer, of Idaho, to be an Assistant Secretary of Commerce.

Richard H. Deane, Jr., of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Randall Dean Anderson, of Utah, to be United States Marshal for the District of Utah for the term of four years.

Daniel C. Byrne, of New York, to be United States Marshal for the Eastern District of New York for the term of four years.

Brian Scott Roy, of Kentucky, to be United States Marshal for the Western District of Kentucky for the term of four years.

Chester J. Straub, of New York, to be United States Circuit Judge for the Second Circuit.

William James Ivey, of Tennessee, to be Chairperson of the National Endowment for the Arts for a term of four years.

James E. Hall, of Tennessee, to be Chairman of the National Transportation Safety Board for a term of two years. Pages S677–78

Petitions: Pages S663–64

Executive Reports of Committees: Page S664

Statements on Introduced Bills:	Pages S664–67
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Notices of Hearings:	Page S670
Authority for Committees:	Page S670
Additional Statements:	Pages S670–75
Record Votes: Two record votes were taken today. (Total—11)	Pages S608, S660

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:50 p.m., until 9:30 a.m., on Thursday, February 12, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S676.)

Committee Meetings

(Committees not listed did not meet)

BANKRUPTCY REFORM

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Regulatory Relief concluded hearings on proposals to reform current bankruptcy law and provide for consumer bankruptcy protection, including related provisions of S. 1301, H.R. 3150, H.R. 3146, and H.R. 2500, after receiving testimony from Robert Ginsburg, United States Bankruptcy Judge for the Northern District of Illinois, on behalf of the National Bankruptcy Review Commission; James E. Smith, Union State Bank and Trust, Clinton, Missouri, on behalf of the American Bankers Association; Robert R. Davis, America's Community Bankers, Washington, D.C.; Dorinda Simpson, American Partners Federal Credit Union, Reidsville, North Carolina, on behalf of the Credit Union National Association; Bruce L. Hammonds, MBNA Corporation, Wilmington, Delaware; Oakley Orser, Belk Stores Services, Inc., Charlotte, North Carolina, on behalf of the National Retail Federation; Mark Lauritano, Wharton Economics Forecasting Associates Group, Philadelphia, Pennsylvania; Lawrence M. Ausubel, University of Maryland, College Park; William E. Brewer, Jr., Raleigh, North Carolina, on behalf of the National Association of Consumer Bankruptcy Attorneys; and Gary Klein, National Consumer Law Center, Boston, Massachusetts.

EDUCATION REFORM

Committee on the Budget: Committee concluded hearings to examine the Federal role in education reform, focusing on broad education reform strategies, including charter schools, vouchers and private management and specific reforms to the current federal education establishment, after receiving testimony from Susan S. Westin, Associate Director, Advanced

Studies and Evaluation Methodology, General Government Division, General Accounting Office; Chester E. Finn, Jr., Hudson Institute, Washington, D.C., former Assistant Secretary of Education; Chris Whittle, Edison Project, New York, New York; Eugene W. Hickok, Pennsylvania Department of Education, Harrisburg, on behalf of the Education Leaders Council; David L. Brennan, HOPE Academies, Cleveland, Ohio; and Henry R. Marockie, West Virginia Department of Education, Charleston, on behalf of the Council of Chief State School Officers.

NOMINATIONS

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Donald J. Barry, of Wisconsin, to be Assistant Secretary of the Interior for Fish and Wildlife, and Margaret Hornbeck Greene, of Kentucky, to be a Member of the Board of Directors of the United States Enrichment Corporation.

NATIONAL DISCOVERY TRAILS/HISTORIC LIGHTHOUSE PRESERVATION

Committee on Energy and Natural Resources: Committee concluded hearings on S. 1069, to provide for the establishment of the American Discovery Trail as a component of the National Trails System, and S. 1403, to provide for the establishment of a national historic lighthouse preservation program, after receiving testimony from Katherine H. Stevenson, Associate Director, Cultural Resource Stewardship and Partnerships, National Park Service, Department of the Interior; Gloria Manning, Associate Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Rear Adm. John T. Tozzi, USCG, Assistant Commandant, Coast Guard Systems, United States Coast Guard, Department of Transportation; Gordon S. Creed, Deputy Assistant Commissioner, Office of Property Disposal, Public Buildings Service, General Services Administration; Reese F. Lukei, Jr., American Discovery Trail Society, Virginia Beach, Virginia; David Lillard, American Hiking Society, Silver Spring, Maryland; John Viehman, Anyplace Wild Television, Camden, Maine; and Richard L. Moehl, Great Lakes Lighthouse Keepers Association, Dearborn, Michigan.

IRS REFORM

Committee on Finance: Committee resumed hearings on proposals and recommendations to restructure and reform the Internal Revenue Service, including a related measure H.R. 2676, focusing on proposals to reform the innocent spouse tax rules, receiving testimony from Richard Beck, New York Law School, Elizabeth Cockrell, and Svetlana Pejanovic, all of New York, New York; David Keating, National Taxpayers Union, Alexandria, Virginia; Marjorie

O'Connell, O'Connell & Associates, Washington, D.C.; Karen Andreasen, Tampa, Florida; and Josephine Berman, South Orange, New Jersey.

Hearings were recessed subject to call.

KYOTO PROTOCOL—GLOBAL WARMING

Committee on Foreign Relations: Committee held hearings to examine the results of the recent Kyoto Conference and implications of the proposed Kyoto Protocol on global warming, focusing on the President's climate change technology initiative to reduce greenhouse gas emissions, receiving testimony from Stuart E. Eizenstat, Under Secretary of State for Economic, Business and Agricultural Affairs.

Hearings were recessed subject to call.

AUTHORIZATION—AGENCY FOR HEALTH CARE POLICY AND RESEARCH

Committee on Labor and Human Services: Subcommittee on Public Health and Safety concluded hearings on proposed legislation authorizing funds for the Agency for Health Care Policy and Research, focusing on the current activities and recent products relating to the need for health care quality improvement, after receiving testimony from John M. Eisenberg, Administrator, Agency for Health Care Policy and Research,

Department of Health and Human Services; David Edwards, Eastman Kodak Company, Rochester, New York; Cary Sennett, National Committee for Quality Assurance, and Stuart Butler, Heritage Foundation, both of Washington, D.C.; Barry Greene, Medical Group Management Association, Denver, Colorado; Paul D. Clayton, Columbia University, New York, New York, on behalf of the American Medical Informatics Association; and William M. Tierney, Indiana University School of Medicine, Indianapolis.

CLASSIFIED DISCLOSURES

Select Committee on Intelligence: Committee met in closed session and ordered favorably reported an original bill to encourage the disclosure to Congress of certain classified and related information.

Prior to this action, committee concluded hearings to examine the constitutionality of certain classified disclosures to Congress as contained in Public Law 105-107, Intelligence Authorization Act for Fiscal Year 1998, after receiving testimony from Louis Fisher, Senior Specialist, Congressional Research Service, Library of Congress; and Randolph Moss, Deputy Assistant Attorney General, Office of Legal Counsel, Department of Justice.

House of Representatives

Chamber Action

Bills Introduced: 28 public bills, H.R. 3175-3202; 2 private bills, H.R.3203-3204; and 14 resolutions, H.J. Res. 109-110, H. Con. Res. 211-217, and H. Res. 354, 356-359, were introduced. **Pages H445-46**

Reports Filed: One report was filed today as follows:

Consideration of H. Res. 355, Dismissing the Election Contest Against Loretta Sanchez (H. Rept. 105-416). **Page H445**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Upton to act as Speaker pro tempore for today. **Page H387**

Census Monitoring Board: The Chair announced the Speaker's appointment of Mr. J. Kenneth Blackwell of Ohio and Mr. David W. Murray of Virginia on the part of the House to the Census Monitoring Board. **Page H387**

Commission on Maintaining United States Nuclear Weapons Expertise: The Chair announced the Speaker's appointment of Mr. Robert B. Barker of

California and Mr. Roland F. Herbst of California on the part of the House to the Commission on Maintaining United States Nuclear Weapons Expertise. **Page H387**

National Council on the Arts: The Chair announced the Speaker's appointment of Representatives Doolittle and Ballenger to the National Council on the Arts. **Page H387**

Advisory Committee on Student Financial Assistance: The Chair announced the Speaker's appointment of Mr. Henry Givens of Missouri on the part of the House to the Advisory Committee on Student Financial Assistance for a three-year term. **Page H387**

Presidential Message—Economic Report of the President: Read a message from the President wherein he transmitted his Economic Report—referred to the Joint Economic Committee and ordered printed (H. Doc. 105-176). **Pages H390-91**

Recess: The House recessed at 3:28 p.m. and reconvened at 4:04 p.m. **Page H391**

Consideration of Suspensions: The House agreed to H. Res. 352, the rule providing for consideration of motions to suspend the rules by a yea and nay vote of 217 yeas to 191 nays, Roll No. 12.

Pages H391–95

Recess: The House recessed at 4:32 p.m. and reconvened at 5:01 p.m.

Page H394

Suspensions: The House agreed to suspend the rules and pass the following measures:

Daycare Fairness for Stay-at-Home Parents: H. Con. Res. 202, amended, expressing the sense of the Congress that the Federal Government should acknowledge the importance of at-home parents and should not discriminate against families who forego a second income in order for a mother or father to be at home with their children (passed by a yea and nay vote of 409 yeas with none voting “nay” and 3 voting “present”, Roll No. 13; and agreed to amend the title); and

Pages H395–H402

National Sea Grant College Program: S. 927, amended, to reauthorize the Sea Grant Program.

Pages H403–08

Committee Election: The House agreed to H. Res. 354, electing Representative Rogan to the Committee on the Judiciary and Representative Granger to the Committee on National Security.

Page H408

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of the House today and appear on pages H394–95 and H402. There were no quorum calls.

Adjournment: Met at 3:00 p.m. and adjourned at 10:09 p.m.

Committee Meetings

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on the Secretary of the Treasury. Testimony was heard from Robert E. Rubin, Secretary of the Treasury.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on the National Transportation Safety Board. Testimony was heard from James E. Hall, Chairman, National Transportation Safety Board.

OVERSIGHT—DC AUDIT REPORT/CFO

Committee on Government Reform and Oversight: Subcommittee on the District of Columbia held an over-

sight hearing on the Fiscal Year 1997 District of Columbia Audit Report and the Chief Financial Officer. Testimony was heard from G. Edward DeSeve, Acting Deputy Director, OMB; the following officials of the District of Columbia: Marion Barry, Mayor; Linda Cropp, Chair, City Council and Anthony Williams, Chief Financial Officer; Andrew Brimmer, Chairman, D.C. Financial and Responsibility and Management Assistance Authority; and a public witness.

QUALITY CHILD CARE FOR FEDERAL EMPLOYEES ACT

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology held a hearing on H.R. 2982, Quality Child Care for Federal Employees Act. Testimony was heard from Susan Clampett, Associate Administrator, Management and Workplace Programs, GSA.

Hearings continue tomorrow.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 12, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services, to resume hearings on proposed legislation authorizing funds for fiscal year 1999 for the Department of Defense and the future years defense program, 10 a.m., SH-216.

Committee on the Budget, to hold hearings on unfunded private sector mandates, 2 p.m., SD-608.

Committee on Commerce, Science, and Transportation, to hold hearings on the nomination of Winter D. Horton Jr., of Utah, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, 9:30 a.m., SR-253.

Full Committee, to hold hearings on S. 1422, to promote competition in the market for delivery of multi-channel video programming, 10 a.m., SR-253.

Subcommittee on Aviation, to hold hearings on financing the Airport Improvement Program, 2 p.m., SR-253.

Committee on Energy and Natural Resources, Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings on S. 62, to prohibit further extension or establishment of any national monument in Idaho without full public participation, S. 477, to require an Act of Congress and the consultation with State legislature prior to the establishment by the President of national monuments, S. 691, to ensure that the public and the Congress have the right and opportunity to participate in decisions that affect the use and management of all public lands, H.R. 901, to preserve the sovereignty of the U.S. over public lands, and H.R. 1127, to amend the Antiquities Act regarding the establishment by the President of certain national monuments, 2 p.m., SD-366.

Committee on Foreign Relations, to hold hearings to examine the International Monetary Fund's role in the Asian financial crisis, 2 p.m., SD-419.

Committee on Governmental Affairs, Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold hearings to examine adoption and foster care reform measures in the District of Columbia, 9 a.m., SD-342.

Committee on the Judiciary, business meeting, to consider pending calendar business, 10 a.m., SD-226.

Committee on Labor and Human Resources, to hold hearings on proposed legislation authorizing funds for the Education of the Deaf Act of 1986, 10 a.m., SD-430.

Committee on Small Business, to hold hearings on proposals to reform the Internal Revenue Service, 9:30 a.m., SR-428A.

Committee on Indian Affairs, to hold hearings on the Indian provisions contained in S. 1414, S. 1415, and S. 1530, bills to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors and to redress the adverse health effects of tobacco use, 9:30 a.m., SR-485.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see pages E155-58 in today's Record.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on the Secretary of Agriculture, 10:30 a.m., 2362A Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on the Secretary of Labor, 10 a.m., 2358 Rayburn.

Subcommittee on Legislative, on the Joint Committee on Printing and on Congressional and public witnesses, 9 a.m., H-144 Capitol.

Subcommittee on Military Construction, on Overview, 11 a.m., B-300 Rayburn.

Subcommittee on National Security, on Medical Programs, 10 a.m., 2359 Rayburn.

Subcommittee on Transportation, on the Office of Inspector General, 10 a.m., and the GAO, 2 p.m., 2358 Rayburn.

Subcommittee on VA, HUD, and Independent Agencies, on Chemical Safety and Hazard Investigation Board, 9 a.m., on DOD-Civil, Cemeterial Expenses, Army, 10 a.m., and on the Council on Environmental Quality, 11 a.m., H-143 Capitol.

Committee on Banking and Financial Services, to consider pending Committee business; and to hold a hearing on the restitution of art objects seized by the Nazi from Holocaust victims and on insurance claims of certain Holocaust victims and their heirs, 9:30 a.m., and 1:30 p.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Health and Environment, hearing on Cloning: Legal, Medical, Ethical, and Social Issues, 11 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing on the Department of Energy's funding of Molten Metal Technology, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, to consider Contract Agreements with those providing services to the Committee in relation to the oversight investigation of the International Brotherhood of Teamsters election, 11:15 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, to continue hearings on Patient Access to Alternative Treatments: Beyond the FDA, 1 p.m., 2154 Rayburn.

Subcommittee on Government Management, Information, and Technology, to continue hearings on H.R. 2982, Quality Child Care for Federal Employees, 9:30 a.m., hearing and markup of H.R. 2883, Government Performance and Results Act Technical Amendments of 1997; and to mark up H.R. 2982, 10 a.m., 2154 Rayburn.

Subcommittee on Human Resources, oversight hearing on Pension Security: DOL Erisa Enforcement and the Limited Scope Audit Exemption, 9:30 a.m., 2203 Rayburn.

Committee on International Relations, hearing on the Administration's Fiscal Year 1999 International Affairs Budget request, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, to mark up H. Res. 350, Congratulating the people of Sri Lanka on the Occasion of the fiftieth anniversary of their nation's independence; to be followed by a hearing on U.S. Interests in the Central Asian Republics, 2 p.m., 2172 Rayburn.

Subcommittee on International Operations and Human Rights, to mark up the following measures: H.R. 2678, International Child Labor Elimination Act of 1997; and S. Con. Res. 37, expressing the sense of Congress that Little League Baseball Inc. was established to support and develop Little League baseball worldwide and should be entitled to all of the benefits and privileges available to non-governmental international organizations, 1 p.m., 2200 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on the following bills: H.R. 2604, Religious Liberty and Charitable Donation Protection Act of 1997; and H.R. 2611, Religious Fairness in Bankruptcy Act of 1997, 10 a.m., 2237 Rayburn.

Subcommittee on Courts and Intellectual Property, hearing on the following bills: H.R. 2652, Collections of Information Antipiracy Act; and H.R. 3163, Trade Dress Protection Act; and to hold an oversight hearing regarding Internet domain name trademark protection, 10 a.m., 2226 Rayburn.

Committee on National Security, hearing on Threats to United States National Security, 9:30 a.m., 2118 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up the following bills: H.R. 2807, Rhino and Tiger Product Labeling Act; H.R. 3113, Rhinoceros and Tiger Conservation Reauthorization Act of 1998; and H.R. 3164, Hydrographic Services Improvement Act of 1998, 2 p.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, oversight hearing on Tucson Rod and Gun Club, Arizona, 10 a.m., 1324 Longworth

Committee on Science, to continue hearings on the Road from Kyoto Part 2: Kyoto and the Administration's Fiscal Year 1999 Budget request, 10 a.m., 2318 Rayburn.

Subcommittee on Space and Aeronautics, hearing on Aeronautics and Space Transportation Technology, 1 p.m., 2318 Rayburn.

Committee on Small Business, hearing to examine Federal Agency compliance with section 610 of the Regulatory Flexibility Act, 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, hearing on the Department of Veterans Affairs budget request for FY 1999, 9:30 a.m., 334 Cannon.

Committee on Ways and Means, to continue hearings on ways to reduce the Federal tax burden on the American public, 10 a.m., 1100 Longworth.

Subcommittee on Trade, hearing on U.S. efforts to reduce barriers to trade in agriculture, 2 p.m., B-318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, February 12

Senate Chamber

Program for Thursday: After the recognition of certain Senators for speeches and the transaction of any morning business (not to extend beyond 2 p.m.), Senate may consider any cleared legislative or executive business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 12

House Chamber

Program for Thursday: Consideration of H. Res. 355, Regarding the Contested Election in the 46th Congressional District of California; and
Consideration of 1 suspension: H.R. 1428, Voter Eligibility Verification Act.

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